



U.S. Army Corps
of Engineers

Albuquerque District

2007 Regional Conditions in New Mexico

FINAL REGIONAL CONDITIONS TO NATIONWIDE PERMITS IN THE STATE OF NEW MEXICO

Final Regional Conditions Applicable to Specific Nationwide Permits within the State of New Mexico

a. Nationwide Permit Nos. 12 and 14 - Utility Line Activities and Linear Transportation Projects. In New Mexico, utility line and road activities crossing perennial waters or special aquatic sites require notification of the District Engineer in accordance with General Condition 27 (Pre-Construction Notification).

b. Nationwide Permit No. 13 - Bank Stabilization. In New Mexico, bank stabilization activities necessary for erosion prevention in streams that average less than 20 feet in width (measured between the ordinary high water marks on each bank) are limited to the placement of no more the 1/4 cubic yard of suitable fill* material per running foot below the plane of the ordinary high water mark. Activities greater than 1/4 cubic yard per running foot may be authorized if the permittee notifies the District Engineer in accordance with General Condition 27 (Pre-Construction Notification) and the Corps determines adverse environmental effects are minimal. *[See (m) for definition of Suitable Fill]

c. Nationwide Permit No. 14 - Linear Transportation Crossings. In perennial waterways in New Mexico, culverts will be designed to provide for fish passage. Culverts will be designed and installed so that water flow shall be at least 0.8 feet deep (if practicable), the maximum hydraulic drop in the culvert will not exceed 0.8 ft, the slope of the culvert invert should not exceed 1 percent (if the stream gradient is steeper than 1 percent, the culvert should be embedded (countersunk) to allow for placement at a slope of 1 percent or less), and the maximum velocity will not exceed 2.0 fps to allow passage for juvenile and small-sized fish species.

d. Nationwide Permits No. 29 - Residential Developments, and No. 39 - Institutional and Commercial Developments. In New Mexico, these permits do not authorize channelization or relocation of any intermittent or perennial water course regardless of size or rate of flow.

Final Regional Conditions Applicable to All Nationwide Permits within the State of New Mexico

e. Activities Involving Fills in Perennial Waters or Wetlands Larger than 1/2 Acre. In New Mexico, any activity that involves filling in perennial waters or wetlands larger than 1/10 acre, may be authorized only after the permittee notifies the District Engineer in accordance with General Condition 27 (Pre-Construction Notification); and any activity that exceeds 1/2 acre of fill in waters of the United States will **not** be authorized by any nationwide permit except 27, 32, and 47.

f. Springs. Within the State of New Mexico all NWP's except NWP 47 (original 'C'), require preconstruction notification pursuant to General Condition 27 for discharges of dredged or fill material within 100 feet of the point of groundwater discharge of natural springs. A spring source is defined as any location where ground water emanates from a point in the ground and has a defined surface water connection to another water of the United States. For purposes of this regional condition, springs do not include seeps or other discharges which do not have a defined surface water connection to another water of the United States.

g. Activities in Special Aquatic Sites. In New Mexico, no nationwide permit will authorize an action in special aquatic sites, including wetlands, whose principal activity is not water dependent; unless the District Engineer has been notified in accordance with General Condition 27 (Pre-Construction Notification).

h. Pre-Construction Notifications (PCNs). For those activities authorized by Nationwide Permits Nos. 4, 13, 27, 30, 36, and 44 that require notification to the District Engineer (DE), the DE will notify the New Mexico Department of Game and Fish, the New Mexico Environment Department and other appropriate agencies.

i. Aquatic Life Movements. In New Mexico, General Condition 2 (Aquatic Life Movements) is amended to require that all activities that would impede aquatic life movement or migration including those construction activities whose purpose is to impound water, will require efficient fish passage structures except when the structure is specifically designed to prevent such movement (barriers to prevent upstream movement of non-

native fish to protect native fish species).

j. New Mexico State Threatened and Endangered Species. General Condition 17 (Endangered Species) is amended by adding the following: notification of the District Engineer in accordance with General Condition 27 (Pre-Construction Notification) is required for any activity that occurs in habitat occupied by a New Mexico state threatened or endangered species identified under the authority of the New Mexico Wildlife Conservation Act (NMSA 17-2-37 through 17-2-46, 1978). Notification and coordination with the New Mexico Department of Game and Fish may also be required. (See also Additional Information "b.", Designated Critical Resource Waters in New Mexico).

k. Spawning Areas. To comply with General Condition No. 3, Spawning Areas, nationwide permit activities in New Mexico are not authorized without notification if such activities would: (a) destroy important spawning areas; (b) be conducted in spawning habitats during spawning seasons for trout and Kokonee salmon (spawning for rainbow and cutthroat trout is from March 15 through July 15, and for brown and brook trout and Kokonee salmon is from September 1 through November 30). For any nationwide permit activities occurring in these waters during spawning seasons, the permittee must notify the District Engineer in accordance with General Condition 27 (Pre-Construction Notification), who will notify the appropriate agency before the activity is permitted.

Important spawning areas are defined as those waters that have been designated as High Quality Cold Water Fisheries (HQCWF) by the New Mexico State Environment Department, Surface Water Quality Bureau (SWQB). The SWQB defines a HQCWF as "a perennial stream reach in a minimally disturbed condition which has considerable aesthetic value and a superior coldwater fishery habitat. A stream reach so categorized must have water quality, stream bed characteristics, and other attributes of habitat sufficient to protect and maintain a propagating coldwater fishery (i.e., a population of reproducing salmonids)." A listing of all HQCWF can be found in the New Mexico Standards for Interstate and Intrastate Streams, 20 NMAC 6.1.

l. Gradient. General Condition 9 (Management of Water Flows) is amended to add the following: In New Mexico, projects that will result in changes to local stream gradient, streambed elevation, direction, velocity of streamflow, or cause any significant changes in channel size, shape and aquatic habitat (unless the project specifically designed to restore previously

degraded and unstable streams) require notification to the District Engineer in accordance with General Condition 27 (Pre-Construction Notification).

m. Suitable Fill. In New Mexico, use of broken concrete or used tires formed into bales as fill material requires notification to the District Engineer in accordance with General Condition 27 (Pre-Construction Notification). Permittees must demonstrate that soft engineering methods utilizing native or non-manmade materials are not practicable (with respect to cost, existing technology, and logistics), before broken concrete or used tires as bales are allowed as suitable fill. Use of broken concrete with rebar is prohibited in perennial waters (waterways) and wetlands (special aquatic sites), in accordance with 20 NMAC 9.1, Solid Waste Management.

n. Fens. All Nationwide permits, except permit Nos. 3, 6, 20, 27, 32, 38 and 47, are revoked in fens and wetlands adjacent to fens. Use of nationwide permit Nos. 3, 20, 27 and 38, requires notification to the District Engineer, in accordance with General Condition 27 (Pre-Construction Notification), and the permittee may not begin the activity until the Corps determines the adverse environmental effects are minimal. The following defines a fen:

Fen soils (histosols) are normally saturated throughout the growing season, although they may not be during drought conditions. The primary source of hydrology for fens is groundwater. Histosols are defined in accordance with the U.S. Department of Agriculture, Natural Resources Conservation Service publications on Keys to Soil Taxonomy and Field Indicators of Hydric Soils in the United States (<http://soils.usda.gov/technical/classification/taxonomy>).

Additionally, in New Mexico, peatlands with spongy, water-logged soil containing a histosol or a mineral soil with a histic epipedon that may be termed in some literature as cienagas, marshes, or bogs (for example, the Alamo bog complex and the floating mat fen complex at Santo Domingo Pueblo) are included in this regional condition.

ADDITIONAL INFORMATION

The following provides additional information regarding minimization of impacts and compliance with existing General Conditions:

a. Permittees are reminded of General Condition Number 6 which prohibits the use of unsuitable material. Organic debris, building waste, asphalt, car bodies, individual tires and trash are **not** suitable fill material. Also, General Condition Number 12 requires appropriate erosion and sediment controls (i.e., all fills must be permanently stabilized to prevent erosion and siltation into water and/or wetlands at the earliest practicable date). Streambed material or other small aggregate material placed along a bank as stabilization will not meet General Condition Number 12.

b. Designated Critical Resource Waters in New Mexico. Within the State of New Mexico, the waters listed in Enclosure 1 are designated as critical resource waters. In accordance with General Condition 19 (Designated Critical Resource Waters), the discharge of dredged or fill material is not authorized by the following nationwide permits in these waters: NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49 and 50. In addition, in accordance with General Condition 27 (Pre-Construction Notification), notification to the District Engineer is required for use of the following nationwide permits in these waters: NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37 and 38.

Enclosure 1.

Designated Critical Resource Waters in New Mexico

The following waters within the State of New Mexico are designated as critical resource waters. In accordance with General Condition 19 (Designated Critical Resource Waters), the discharge of dredged or fill material is not authorized by the following nationwide permits in these waters: NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49 and 50. In addition, in accordance with General Condition 27 (Pre-Construction Notification), notification to the District Engineer is required for use of the following nationwide permits in these waters: NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37 and 38.

Critical Herp Habitat

Critical Herp habitat is defined as that habitat which is known to be occupied by state threatened and endangered reptiles and amphibians under the New Mexico Wildlife Conservation Act, but are not listed as threatened and endangered under the Federal Endangered Species Act.

All perennial reaches of the Gila River, the San Francisco River and Mule Creek. These waters are native habitat for the Narrowhead garter snake (*Thamnophis rufipunctatus*) and the Mexican garter snake (*Thamnophis eques*).

Black River, Delaware River and lower Pecos River below Carlsbad. These waters are occupied by state-listed western river cooter (*Pseudemys gorzugi*) and plainbelly watersnake (*Nerodia erythrogaster*).

Ute Creek, Cieneguilla Creek, Canadian River and tributaries below Maxwell, Bitter Lake National Wildlife Refuge (NWR) wetlands and Pecos River and tributaries downstream of Bitter Lake NWR, including the Black River, Delaware River, and lower Pecos River below Carlsbad. These waters are occupied by the state-listed western ribbon snake (*Thamnophis proximus*).

Critical Invertebrate Habitat

Critical invertebrate habitat is defined as that habitat which is known to be

occupied by state threatened and endangered invertebrates under the New Mexico Wildlife Conservation Act, but are not listed as threatened and endangered under the Federal Endangered Species Act.

Blue Spring and the associated springbrook riparian corridor, Eddy County, NM. Blue Spring is the primary hydrologic source for perennial reaches of the Black River. Blue Spring provides aquatic habitat for the endemic Pecos springsnail (*Pyrgulopsis pecosensis*), and the land snail, *Vertigo ovata*.

Willow Spring, "Willow Spring Ranch" (formerly Cienega Ranch), Socorro Co., NM. Native habitat for the endemic Chupadera springsnail (*Pyrgulopsis chupaderae*).

Torreon Spring, Pound Ranch, Socorro Co., NM. Native habitat for the endemic New Mexico springsnail (*Pyrgulopsis neomexicana*).

Ojo Caliente-Warm Spring wetland complex, Socorro Co., NM. Native habitat for the endemic Alamosa springsnail (*Tryonia alamosae*).

Sedillo Spring, Socorro Co., NM. Native habitat for the Socorro isopod.

Canadian River drainage, including perennial tributaries (Conchas River, Trementina Creek, Ute River), Conchas Lake, and Ute Reservoir. Habitat for the paper pondshell mussel (*Utterbackia imbecillis*).

All perennial reaches of the Black River, Eddy county. Native habitat for the only population of the Texas hornshell (*Popenaias popei*) in New Mexico.

Jordon Hot Springs, Middle Fork Gila River thermal springs along East Fork Gila River*, spring seeps along Beaver Creek, East Fork Gila River*, spring seeps along Taylor Creek, East Fork Gila River*, Alum Hot Spring, Gila River. Gila springsnail (*Pyrgulopsis gilae*)

thermal springs along East Fork Gila River*, Alum Hot Spring, Gila River. New Mexico springsnail (*Pyrgulopsis thermalis*)

* release of specific locality information precluded by NMDGF Regulation 19.33.4.8, Release of Confidential Data Regarding Endangered Species.

Enclosure 1, continued

CRITICAL DESIGNATED RESOURCE AREAS FOR INVERTEBRATES¹

Doña Ana County

Issack Lake

(*Streptocephalus moorei*, fairy shrimp)

unnamed playa near Riley, NM

(*Streptocephalus moorei*, fairy shrimp)

Hidalgo County

Lordsburg Playa Special Management Area and Natural Resource Area (BLM)

(*Streptocephalus thomasbowmani*, fairy shrimp; *Lepidurus lemmoni*, tadpole shrimp)

Luna County

unnamed playa, Arena, NM

(*Streptocephalus moorei*, fairy shrimp)

Otero County

Crow Flats Alkali Lakes Area of Critical Concern (BLM)

(*Phallocryptus sublettei*, fairy shrimp)

Sierra County

Cedar Lake

(*Streptocephalus moorei*, fairy shrimp)

Torrance County

Laguna del Perro Salt Lakes Complex, Estancia Basin (NMED)

(*Branchinecta* sp., fairy shrimp)

1: Saline and alkali playas provide unique aquatic habitats for rare, globally restricted large branchiopod crustaceans, and are recognized as important habitat for resident and migratory waterfowl, including rare plants.

Designated uses for these areas include: recreation, grazing, paleontological, wildlife, biological, and research.

Critical Fish Habitat

Critical fish habitat is defined as that habitat which is known to be occupied by state threatened and endangered fish under the New Mexico Wildlife

Conservation Act, but are not listed as threatened and endangered under the Federal Endangered Species Act.

Gila chub (*Gila intermedia*) (also federally-listed):

Mule Creek (a San Francisco River tributary) and

Turkey Creek (a Gila River tributary)

Gila River—

Roundtail chub (*Gila robusti*):

Gila River: New Mexico reaches of the Upper East Fork of the Gila River, the Lower Middle fork of the Gila River, lower most West Fork of the Gila River, mainstem Gila River from confluence of East & West forks Gila River downstream to AZ/NM border.

San Juan River Drainage: New Mexico reaches of the

Mancos River,

La Plata River,

Florida River

Animas River

Navajo River

Headwater chub (*Gila nigra*):

West Fork Gila River—from its confluence with East Fork Gila River upstream to Gila Wilderness boundary.

Middle Fork Gila River—from its confluence with West Fork Gila River upstream to Gila Wilderness boundary.

East Fork Gila River—from its confluence with West Fork Gila River upstream to confluence of Beaver and Taylor creeks.

Beaver Creek—from its confluence with Taylor Creek upstream to FS Road 150.

Taylor Creek—from its confluence with Beaver Creek upstream to Wall Lake.

Arkansas River speckled chub (*Macrhybopsis aestivalis tetranemus*)

(Arkansas River speckled chub was elevated to full species, common name 'peppered' chub and binomial is *Macrhybopsis tetranemus*):

Enclosure 1, continued

South Canadian River, downstream of Ute dam to the Texas/New Mexico border.

Suckermouth minnow (*Phenocobius mirabilis*):

South Canadian
Dry Cimarron River
lower reaches of Mora River

Southern redbelly dace (*Phoxinus erythrogaster*):

Headwaters of the Mora River, including Coyote Creek and tributaries to Black Lake

Wetland associated with Mora River, located just east of Mora

Zuni bluehead sucker (*Catostomus discobolus yarrowi*):

Rio Nutria drainage upstream of mouth of Nutria Box Canyon

Blue Sucker (*Cypleptus elongatus*):

Pecos River, downstream from Brantley Dam to the Texas - New Mexico border and the lower reaches of the Black River

Gray Redhorse (*Moxostoma congestum*):

Pecos River, from Carlsbad downstream to the New Mexico - Texas border and the lower reaches of the Black River.

Mexican tetra (*Astyanas mexicanus*):

Pecos River and associated floodplain habitats from Bitter Lake National Wildlife Refuge downstream to the New Mexico - Texas border
Black River and
Delaware River

White Sands pupfish (*Cyprinodon tularosa*):

All wetted aquatic habitat within the U. S. Army White Sands Missile Range

and the Holloman Air Force Base. Wetted habitat associated with Lost River and Malpais Spring adds and changes with precipitation. Pupfish move quickly into newly wetted areas

Pecos pupfish (*Cyprinodon pecosensis*):

Pecos River and associated floodplain habitats from Bitter Lake National Wildlife Refuge downstream to near Malaga Bend

Gypsum sinkholes, isolated oxbows and artificial impoundments on Bitter Lake National Wildlife Refuge and habitats associated with Bottomless Lakes State Park. BLM Overflow Area associated with Bottomless Lakes State Park

Bigscale Logperch (*Percina macrolepida*):

Pecos River between Santa Rosa and Fort Sumner Reservoir
Lower Pecos (Bitter Lake NWR downstream to Brantley Reservoir)
Black River

Greenthroat darter (*Etheostoma lepidum*):

Bitter Creek and gravel-bottomed ponds on Bitter Lake National Wildlife Refuge

Cottonwood Creek, Blue Spring and Rattlesnake Springs in Carlsbad Caverns National Park

SPECIAL TROUT WATERS

Special trout waters are managed to provide anglers with the opportunity to experience superior high quality fishing. These waters have reduced bag limits or are catch and release. Accordingly, they need to be protected during construction activities permitted under CWA Sec. 404. No activities are authorized under any nationwide permits for activities occurring in these waters without Pre-Construction Notification to the Corps and the appropriate state agencies.

Pecos River Drainage

Pecos River "Box" from 1/2 mile above the confluence of the Mora and Pecos, upstream 1-1/2 miles to 1/4 mile above Cowles Bridge

Enclosure 1, continued

Pecos River in the Pecos Wilderness above Pecos Falls

Doctor Creek from 1/4 mile above its confluence with Holy Ghost Creek, upstream to its headwaters

Jacks Creek from the waterfalls located 1/4 mile downstream from NM Hwy 63 crossing, upstream to its headwaters

Rio Valdez in the Pecos Wilderness from 1/4 mile below Smith Cabin, upstream to its headwaters

Jemez River Drainage

Rio Cebolla from the Seven Springs Day Use Area upstream to its headwaters

Rio Guadalupe from Porter Landing Bridge 1.3 miles downstream to Llano Loco Spring

San Antonio River from the Baca Location boundary downstream 2 miles.

San Juan River Drainage

San Juan River from Navajo Dam downstream 3-3/4 miles to east side of Section 16.

Rio Costilla Drainage

Valle Vidal - all streams in the Valle Vidal including Shuree Lakes

Rio Costilla from Valle Vidal Boundary 2.4 miles downstream to Latir Creek

Chama River Drainage

All waters within the Sargent Wildlife Area including Nabor Creek and Nabor Lake, Rio Chama, Rio Chamita and Sexto Creek

Chama River 2.9 miles within the Rio Chama Wildlife and Fishing Area

Chama River from Abiquiu Dam downstream 7 miles to the U.S. bridge at Abiquiu

Upper Rio Grande Drainage and its tributaries

Rio Grande from Colorado line downstream to the Taos Junction Bridge
Red River from the confluence of Goose Creek for 1 mile upstream as posted

Red River from 1/2 mile below walking bridge at the Red River State Hatchery downstream to confluence with the Rio Grande

Rio De Los Pinos from USFS Roads 284 & 87A, 2-1/2 miles upstream to private land

Rio Pueblo between the bridge at Mile Marker 55 on State Hwy 518 upstream 1 mile to Canon Tio Maes Trailhead, as posted

Lower Rio Grande from Elephant Butte Dam downstream to Caballo Lake including Caballo Lake

Cimarron River from east end of Tolby Campground downstream 1.4 miles to first U.S. 64 bridge

Rio Las Animas within the Gila National Forest, Black Ranger District

Gilita Creek from the Gila Wilderness downstream 5 miles to Snow Creek

Rio Ruidoso along U. S. 70 in Ruidoso Downs from Merriam Drive downstream 0.7 miles

CRITICAL DESIGNATED RESOURCE AREAS FOR RIO GRANDE CUTTHROAT

For any nationwide permit activities occurring in waters where Rio Grande cutthroats occur, the permittee must notify the Corps in accordance with the Notification general condition, who will provide Pre-Construction Notification for review, to the appropriate agency before the activity is permitted. All locations where Rio Grande cutthroat populations are known to occur are:

CANADIAN DRAINAGE

Colfax County

American Creek

Clear Creek

Leandro Creek

Middle Ponil Creek

Ricardo Creek

South Ponil Creek

Enclosure 1, continued

Little Vermejo River
Vermejo River

Mora County

Luna Creek (Near Mora)
Mccrystal Creek
Murphy Creek
Santiago Creek

PECOS DRAINAGE

Mora County

Jarosa Creek (Below Pecos Falls)
Pecos River (Above the falls)
Rio Valdez
Rito Del Padre
Rito Maestas (Rio del Padre)
Rio Mora (Upper)

San Miguel County

Cave Creek
Dalton Creek
Doctor Creek
Indian Creek
Macho Creek
Jacks Creek

RIO GRANDE DRAINAGE

Rio Arriba County

American Creek (Jemez)
Canjillon Creek
Canones Creek (Jemez)
Capulin Creek (Jemez)
Cecilia Creek (Rio Gallina Basin)
Chihuahueros Creek (Jemez Mts)
Clear Creek (Jemez)
El Rito Creek
El Rito Creek Upper (Fifteen Springs)

Jaroso Creek (El Rito)
Nabor Creek (Sergeant Wildlife Area)
Polvadera Creek (Canones Creek)
Resumidero Creek & Oso Creek (San Pedro Parks)
Rio de La Cebolla (Rio Quemado-Truchas)
Rio De Las Vacas (Perchas, Anastacio)
Rio De Truchas (Rio Quemado)
Rio Del Oso (Chama)
Rio Nutrias (Tres Piedras)
Rio Puerco West
Rio Santa Barbara (east fork)
Rio Santa Barbara (middle fork)
Rio Santa Barbara (West Fork)
Rio Tusas - little Tusas
Rio Tusas-lower
Rio Tusas-upper
Rito Cafe
Rito De Las Perchas
Tanques Creek (Tres Piedras)
Tio Grande (Tres Piedras)
Willow Creek (Jicarilla)-restored-1998

Sandoval County

Cochiti Creek watershed
Peralta Creek
La Jara Creek (Rio Puerco)
Rio Cebolla
Rito de las Palomas (Jemez)
Rito de Los Pinos (Jemez)

Santa Fe County

Rio Capulin
Rio Frijoles
Rio Nambe

Sierra County

Rio Las Animas, including the Holden Prong and Murphy Place

Enclosure 1, continued

Taos County

Red River Drainage
Bitter Creek
Cabresto Creek
Cabresto Creek (Lake Fork)
Columbine Creek (Deer, Placier, Willow)
Costilla Creek
Sawmill Creek (Red River)

Valle Vidal Drainage
Rio Costilla
Comanche Creek
Fernandez Creek (Comanche)
Little Costilla Creek (Comanche)
Powderhouse Creek
Chuckwagon Creek (Comanche)
Vidal Creek (Comanche)

Hondo Drainage
Gavilan Canyon Creek (Rio Hondo de Taos)
Italianos Creek (Rio Hondo de Taos)
Rio Hondo -South Fork (Wheeler Peak)
Yerba Creek (Rio Hondo de Taos)

Rio Grande Del Rancho Drainage
Fowler Creek (Rio Grande Del Rancho)

Rio Pueblo Drainage
Agua Piedra (Rio Pueblo)
Alamitos Creek (Rio Pueblo)
Frijoles Creek (Rito de la Olla)
Indian Canyon (Penasco)
Agua Caliente (Pilar)
La Cueva Creek
Osha Creek
Palociento Creek
Rito de la Olla (Pot Creek)
Rito de la Presa
Rito del Medio (Questa/El Rito)

Rito Primero
San Cristobal Creek
Sardinas (near la Pressa)
Tienditas Creek (Valle Escondito)
West Latir Creek

TULAROSA DRAINAGE

Otero County

Indian Creek (Three Rivers)

Critical Mammal Habitat

Critical mammal habitat is defined as that habitat which is known to be occupied by state threatened and endangered mammals under the New Mexico Wildlife Conservation Act, but are not listed as threatened and endangered under the Federal Endangered Species Act.

San Francisco River and tributaries. These waters are occupied by the state-listed Arizona montane vole (*Microtus montanus arizonensis*). This vole occupies mesic sedge and grass meadows bordering small creeks and marshes in the San Francisco drainage. Projects requiring authorization under Section 404 of the Clean Water Act for placement of fill in waters of the U.S. in the San Francisco drainage have the potential to impact occupied habitat of this species.

Raton Creek, Jemez River drainage, Coyote Creek (Sangre de Cristo mountains), Isleta reach of the middle Rio Grande, Bosque del Apache National Wildlife Refuge, and Rio Penasco drainage on the Lincoln National Forest. These waters are occupied by the state-listed meadow jumping mouse (*Zapus hudsonius*). This species occupies riparian habitats immediately adjacent to perennial streams and rivers, including the water's edge. Typical plant species associated with meadow jumping mouse habitat include spikerush, sedges, and rushes. Projects requiring authorization under Section 404 of the Clean Water Act for placement of fill in waters of the U.S. in these waters have the potential to impact occupied habitat of this species.

Tucumcari Lake, Salt Lake on Grulla NWR, and Bitter Lake National Wildlife Refuge and vicinity in the Pecos River Valley, including Bottomless Lakes State Park and BLM Overflow Wetlands. These waters are occupied by the

Enclosure 1, continued

state-listed least shrew (*Cryptotis parva*). Aquatic habitats this shrew occupies include mesic meadows with willows and cattails, and bulrush marshes. Projects requiring authorization under Section 404 of the Clean Water Act for placement of fill in waters of the U.S. in these waters have the potential to impact occupied habitat of this species.